

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

**IN THE MATTER OF THE
EXTRADITION OF**

SAMUEL PADILLA GARCIA,

**A Fugitive from the Government
of Mexico**

No. CV 15-01648-SJO-AFM

**CERTIFICATE OF EXTRADITABILITY
AND ORDER OF COMMITMENT**

The Court has received the Request for Extradition filed on August 14, 2015, by Daniel Ackerman, Assistant United States Attorney for the Central District of California, for and on behalf of the Government of Mexico, for the extradition of Samuel Padilla Garcia. The Court has also received a Stipulation Regarding Consent to Extradition ("Stipulation"), executed on September 28, 2015 by Samuel Padilla Garcia and counsel for Mr. Garcia. The Court, having reviewed the Stipulation Regarding Consent to Extradition, conducted an uncontested extradition hearing on October 1, 2015. The Court concludes that all requirements for the extradition of Samuel Padilla Garcia to the Government of Mexico to face the charges set forth in the United States' Complaint have been met by the United States.

1 The Court finds and certifies to the Secretary of State as
2 follows:

3 1. A copy of the Stipulation Regarding Consent to Extradition
4 is attached as an exhibit to this certificate and order. In the
5 Stipulation, Samuel Padilla Garcia agreed all of the required
6 elements of extradition had been met. The Court accepts the
7 Stipulation and concludes that the Stipulation was executed knowingly
8 and voluntarily by Samuel Padilla Garcia.

9 2. Samuel Padilla Garcia is charged in the State of Baja
10 California with Aggravated Homicide, in violation of Articles 126,
11 147, 148, section II, 149, in relation to article 14, section I, and
12 article 16, section I of the Penal Code of the State of Baja
13 California, Mexico, for which an arrest warrant was issued on July 1,
14 2013, by Judicial District of Mexicali, Baja California, as part of
15 criminal case number 01091/2013.

16 3. As set out in the Stipulation Regarding Consent to
17 Extradition, all the requirements for extradition of Samuel Padilla
18 Garcia are met, specifically:

19 a. The undersigned judicial officer, United States
20 Magistrate Alexander F. MacKinnon, and the court on which that
21 judicial officer sits have jurisdiction to conduct extradition
22 proceedings.

23 b. The undersigned judicial officer, United States
24 Magistrate Judge Alexander F. MacKinnon, and the court on which that
25 judicial officer sits, have jurisdiction over Samuel Padilla Garcia.

26 c. An extradition treaty is in force between the United
27 States of America and the Government of Mexico ("the Extradition
28 Treaty").

1 d. Samuel Padilla Garcia is sought for offenses for which
2 the Extradition Treaty permits extradition.

3 e. Samuel Padilla Garcia is the individual who has been
4 charged in Mexico, and there is probable cause to believe him guilty
5 of the charged offense.

6 f. Samuel Padilla Garcia agrees to these simplified
7 extradition procedures pursuant to Article 18 of the Extradition
8 Treaty.

9 4. There are no facts that bar Samuel Padilla Garcia's
10 extradition under the Extradition Treaty.

11 Based on the foregoing findings; the Stipulation Regarding
12 Consent to Extradition, which is incorporated herein by reference;
13 and the United States' Request for Extradition:

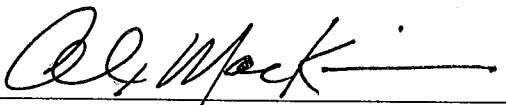
14 THE COURT HEREBY CERTIFIES that it has found Samuel Padilla
15 Garcia extraditable to the Government of Mexico for the offense for
16 which extradition was requested and certifies this finding to the
17 Secretary of State as required under Title 18 United States Code
18 Section 3184.

19 IT IS ORDERED that the Clerk of the Court forthwith deliver to
20 the Assistant United States Attorney a certified copy of this
21 Certificate of Extraditability and Order of Commitment and forward
22 without delay copies of the same to the Secretary of State (to the
23 attention of the Office of the Legal Advisor) and the Director,
24 Office of International Affairs, Criminal Division, U.S. Department
25 of Justice in Washington, D.C., for the issuance of a surrender
26 warrant or such other action as the Secretary of State deems
27 appropriate.
28

1 IT IS FURTHER ORDERED that Samuel Padilla Garcia be committed to
2 and remain in the custody of the United States Marshals Service
3 pending final disposition of this matter by the Secretary of State
4 and arrival of agents of the requesting state, at which time Samuel
5 Padilla Garcia (together with any evidence seized incidental to his
6 arrest) will be transferred to the custody of the agents of the
7 requesting state at such time and place as mutually agreed upon by
8 the United States Marshals Service and the duly authorized
9 representatives of the Government of Mexico, to be transported to
10 Mexico.

11 IT IS SO FOUND AND ORDERED.

12
13 10/1/2015
14 DATE


15 ALEXANDER F. MacKINNON
16 UNITED STATES MAGISTRATE JUDGE

